

MINUTES OF THE REGULAR CITY COUNCIL MEETING  
CITY OF BEE CAVE  
OCTOBER 25, 2011

STATE OF TEXAS       §

COUNTY OF TRAVIS   §

**Present:**

Caroline Murphy, Mayor  
Chad Bockius, Council Member  
Bob Dorsett, Jr., Council Member  
Bill Goodwin, Council Member  
Jack McCool, Mayor Pro Tem  
Mike Murphy, Council Member

**City Staff:**

Frank Salvato, City Administrator  
Travis Askey, Deputy City Administrator  
Patty Akers, City Attorney  
Kaylynn Holloway, City Secretary  
Amy Kelley, Systems Administrator  
Russell Pancoast, Police Chief  
Giancarlo Patino, Engineer Associate  
Stephen Myrick, Building Official

**Call to Order and Announce a Quorum is Present**

With a quorum present, the Regular Meeting of the Bee Cave City Council was called to order by Mayor Murphy at 6:00 p.m. on Tuesday, October 25, 2011 in the Council Chambers of the City of Bee Cave City Hall, 4000 Galleria Parkway, Bee Cave, Texas.

**Pledge of Allegiance**

**Citizen Comments**

Susan Bohn, 3322 Ranch Road 620 South, spoke to the Council about the Lake Travis ISD bond election.

**Consent Agenda.**

- A. Consider approval of minutes of the Regular meeting conducted on October 11, 2011.
- B. Consider approval of monthly financial and investment report.

**MOTION:** A motion was made by Council Member Goodwin, seconded by Council Member Dorsett, to approve the Consent agenda as presented.

The vote was taken on the motion with the following result:

Voting Aye: Mayor Pro Tem McCool, Council Members Bockius, Dorsett,  
Goodwin and Murphy  
Voting Nay: None  
Absent: None

The motion carried.

**Discuss and consider action on the site and NPS plan for Ladera Ranch – Phase One, located on Home Depot Blvd. behind Target.**

Danny Martin of Malone Wheeler, Inc. and Adib Khoury of Taylor Morrison of Texas, were present at the meeting and available to answer questions.

**MOTION:** A motion was made by Council Member Dorsett, seconded by Council Member Bockius, to approve the site and NPS plan for Ladera Ranch – Phase One as submitted.

The vote was taken on the motion with the following result:

Voting Aye: Mayor Pro Tem McCool, Council Members Bockius, Dorsett,  
Goodwin and Murphy  
Voting Nay: None  
Absent: None

The motion carried.

**Discuss and consider action on a Change Order to the contract for street maintenance with Ramming Construction to finish seal coating remaining streets.**

Susan Smith of LNV Engineering fielded questions from the Council regarding this item.

**MOTION:** A motion was made by Council Member Murphy, seconded by Mayor Pro Tem McCool, to approve a change order with Ramming Construction in the amount of \$49,421.92.

The vote was taken on the motion with the following result:

Voting Aye: Mayor Pro Tem McCool, Council Members Bockius, Dorsett,  
Goodwin and Murphy

Voting Nay: None

Absent: None

The motion carried.

**Discuss and consider action on a proposal from LNV Engineering for street maintenance and improvements in 2012.**

Susan Smith also presented this item and answered questions regarding the construction inspection.

A motion was made by Council Member Murphy, seconded by Council Member Dorsett, to approve the street maintenance improvement 2012 program with LNV Engineering in the amount of \$40,288.00 plus \$86.00 per hour not to exceed 150 hours for construction inspection.

The vote was taken on the motion with the following result:

Voting Aye: Mayor Pro Tem McCool, Council Members Bockius, Dorsett,  
Goodwin and Murphy

Voting Nay: None

Absent: None

The motion carried.

**Discuss and consider action on Change Order No. 3 to Cash Construction for the construction of Bee Cave Parkway Phase IIIA in the amount of \$6,032.90 for erosion maintenance and water quantity overage in the amount of \$17,267.10.**

Casey Sledge of Sledge Engineering answered questions regarding the quantity of water overage and the negotiations with Cash Construction to finalize the project.

**MOTION:** A motion was made by Council Member Murphy, seconded by Council Member Bockius, to approve Change Order No. 3 in the amount of \$6,032.90.

The vote was taken on the motion with the following result:

Voting Aye: Mayor Pro Tem McCool, Council Members Bockius, Dorsett,  
Goodwin and Murphy

Voting Nay: None

Absent: None

The motion carried.

**Discussion and update on Bee Cave Parkway Phase IIIB.**

Mr. Sledge presented an update on the construction of Bee Cave Parkway Phase IIIB.

**Discuss and consider action on a proposed policy for the disposal of surplus property.**

**MOTION:** A motion was made by Mayor Pro Tem McCool, seconded by Council Member Goodwin, to approve the policy for the disposal of surplus property.

The vote was taken on the motion with the following result:

Voting Aye: Mayor Pro Tem McCool, Council Members Bockius, Dorsett,  
Goodwin and Murphy

Voting Nay: None

Absent: None

The motion carried.

**Executive Session**

The City Council closed the Open Session at 6:52 p.m. to convene in Executive Session in the Conference Room.

At this point in the meeting, Mayor Murphy publicly announced that a closed, executive session would be held and identified the sections of the Open Meeting Law under which the meeting would be held.

Executive session in accordance with the Texas Government Code, Section 551-072 – Deliberation regarding Real Property; and Section 551.071 – Consultation with Attorney in which the Attorney has a duty to the City under the Texas Disciplinary Rules of Professional Conduct that clearly conflicts with the provisions of the Open Meetings Law.

- A. LCRA Rate Case litigation
- B. Consultation with Attorney regarding acquisition of LCRA water/wastewater systems, to include possible condemnation of the West Travis County systems.

- C. Consultation with Attorney regarding authority of city to enforce building, sign and development ordinances and litigation with AusPro Enterprises, LP.

The City Council closed the Executive Session at 9:13 p.m. and reconvened in Regular Session in the Council Chambers.

**Adjournment**

**MOTION:** A motion was made by Mayor Pro Tem McCool, seconded by Council Member Goodwin, to adjourn.

The vote was taken on the motion with the following result:

Voting Aye:	Mayor Pro Tem McCool, Council Members Bockius, Dorsett, Goodwin and Murphy
Voting Nay:	None
Absent:	None

The motion carried.

The City Council adjourned the Regular Session at 9:13 p.m.

PASSED AND APPROVED this 8<sup>th</sup> day of November, 2011.

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Caroline Murphy, Mayor

ATTEST:

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Kaylynn Holloway, City Secretary

[SEAL]